

MINUTE ITEM
This Calendar Item No. C23 was approved as
Minute Item No. 23 by the California State Lands
Commission by a vote of 3 to 0 at its
12-03-07 meeting.

CALENDAR ITEM
C23

A 4
S 1

12/03/07
PRC 5013 WP 5013.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Newport Federal, a California Corporation
4425 Jamboree Road, Suite 250
Newport Beach, CA 92660

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Placement, use and maintenance of one mooring buoy as shown on the attached
Exhibit A.

LEASE TERM:

Ten years, beginning December 3, 2007.

CONSIDERATION:

\$340 per year, with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On September 29, 1981, the Commission authorized a Recreational Pier Lease with Randy C. and Cheryl L. Watson for an existing pier and one mooring buoy. That lease has since expired and the upland property ownership has since transferred to Newport Federal, a California Corporation.

CALENDAR ITEM NO. C23 (CONT'D)

3. After review of in-house data and information submitted with the application, staff has determined that the existing pier is situated above the low water mark, 6,223-foot Lake Tahoe Datum, and therefore is not within the leasing jurisdiction of the Commission.
4. On March 22, 1982, the Tahoe Regional Planning Agency issued permit #81091 for the mooring buoy. The Commission previously approved one mooring buoy, which had been removed by the previous owners. Applicant is now applying for a new General Lease – Recreational Use for placement of one mooring buoy.
5. Applicant does not qualify for a rent-free Recreational Pier Lease because the Applicant does not own the littoral property as a natural person pursuant to Public Resource Code section 6503.5.
6. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Buoy: U. S. Army Corps of Engineers and the Tahoe Regional Planning Agency

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. **C23** (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

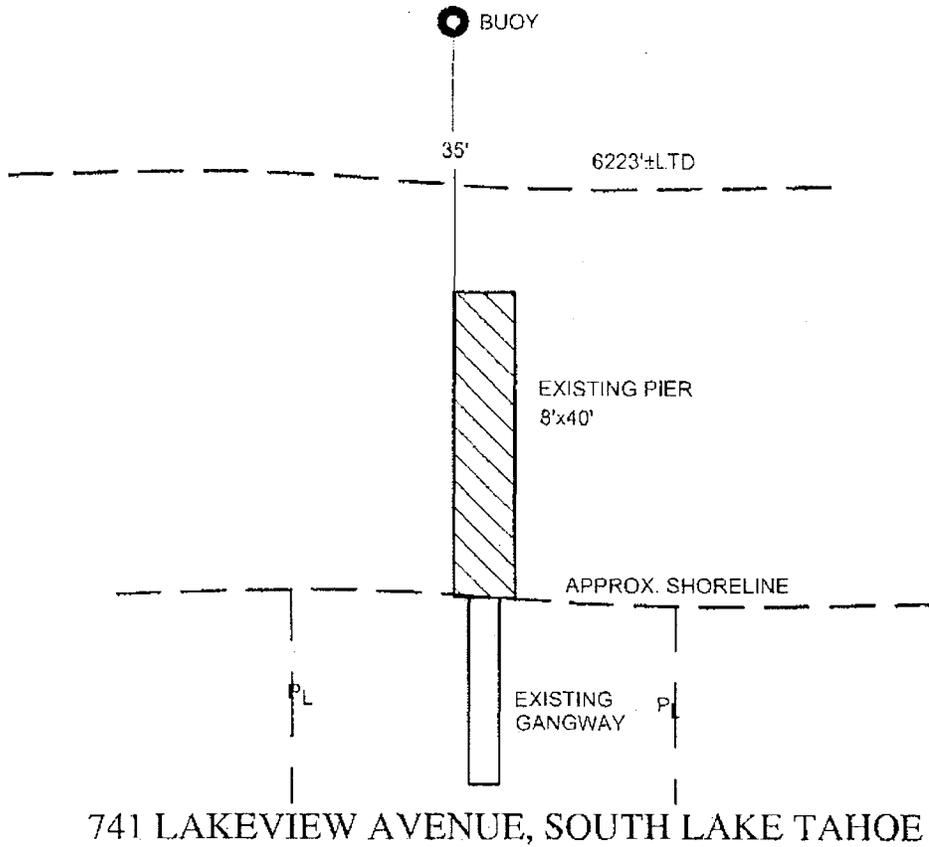
AUTHORIZE ISSUANCE TO NEWPORT FEDERAL, A CALIFORNIA CORPORATION, OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING DECEMBER 3, 2007, FOR A TERM OF TEN YEARS, FOR THE PLACEMENT, USE AND MAINTENANCE OF ONE MOORING BUOY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$340, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.

NO SCALE

SITE

L A K E

T A H O E



NO SCALE

LOCATION

L A K E T A H O E

SITE

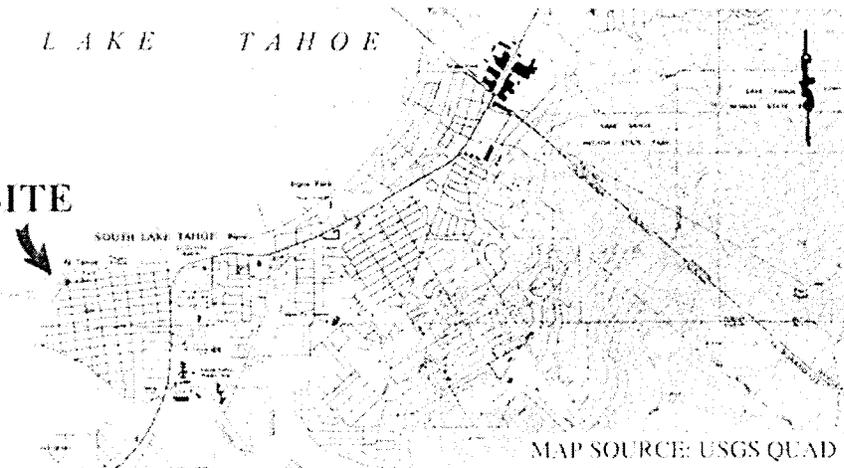
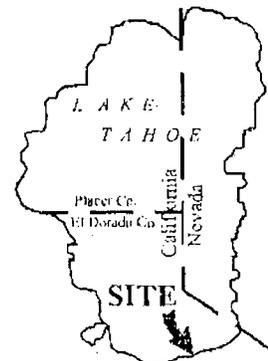


Exhibit A

PRC 5013.1
 NEWPORT FEDERAL
 APN 026-021-05
 GENERAL LEASE
 RECREATIONAL USE
 EL DORADO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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CALENDAR PAGE

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MINUTE PAGE